

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

TIMOTHY LYNCH,)
)
 PLAINTIFF)
)
 v.) **CIVIL No. 2:12-cv-316-DBH**
)
 WESTERN EXPRESS, INC.,)
)
 DEFENDANT)

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On March 15, 2013, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on Defendant's Motion to Dismiss. The defendant filed an objection to the Recommended Decision on April 1, 2013. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant's motion to dismiss is **DENIED**.

SO ORDERED.

DATED THIS 18TH DAY OF APRIL, 2013

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE